



Water Efficient Landscape Ordinance Reporting Form

C1	Agency Name:	City of Cupertino, Community Development Department, Planning Division
C2	Address:	10300 Torre Avenue
C3	Contact Name:	Ellen Yau
C4	Title:	Assistant Planner
C5	Phone Number:	Planning Department 408-777-3308
C6	Phone Extention:	Direct Line 408-777-1360
C6	Email:	elleny@cupertino.org
1a	Is your agency adopting a single agency ordinance OR a regional agency alliance ordinance?	Single Agency Ordinance ▼
1b	Date of adoption OR anticipated adoption:	Mid-March 2016 (URL, below, is 2010 ordinance)
2a	Reporting period:	
2b	December 1, 2015 through December 28, 2015 (all agencies)	<input checked="" type="radio"/>
2c	February 1, 2016 through February 28, 2016 (additional reporting period for agencies crafting regional ordinances with other agencies)	<input type="radio"/>
3a	Are you using:	a locally modified Water Efficient Landscape Ordinance (WELO) ▼
3b	For agencies who have adopted a modified WELO	
3c	Is it at least as efficient as MWELO?	Yes ▼
3d	URL for your WELO	http://library.amlegal.com/nxt/gateway.dll/California/cupertino/title14streetssidewalksandlandscaping/chapter1415landscapingordinance?f=templates\$fn=default.htm\$3.0\$vid=amlegal:cupertino_ca
3e	List major changes from the State's MWELO	
3f	If specific types of projects are exempt (other than those already specified in MWELO), state what they are and the sections of the ordinance that they are exempt from.	n/a
3g	Have elements from other regulations been incorporated (e.g., tree shading percent coverage requirement, stormwater capture requirements).	No ▼
3h	If yes, describe:	-
4	If other agencies are implementing the ordinance, explain their role:	n/a



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5	Permitted projects subject to the ordinance during the reporting period (*e.g., single family residences, commercial projects, landscape retrofits for which permits were finalized during the reporting period, etc.):	During the reporting period of 12/1 - 12/24 (City of Cupertino was closed from 12/24-1/3), comments and plan reviews specifically called out the CA DWR update as landscape requirements for applicants applying for discretionary permits (at the Planning phase) and construction permits (Building phase). Existing and issued permits (that complied with the 2010 revision) were not required to revise plans and submission documents. We expect to see an increase of landscape area subject to the ordinance (query below) for applicants who vest their discretionary permits in construction permits.
6a	Total landscape area subject to the ordinance over the reporting period:	-
6b	Unit of Measure (sq. ft. or acres)	Square Feet ▼
7a	During the reporting period, how many of the following types of projects did your agency issue final permits on:	
7b	new housing starts	1 new single-story home was issued a final permit
7c	new commercial projects	no new commercial projects was issued a final permit
7d	landscape retrofits	no landscape retrofit permits in Cupertino
8	Describe the procedure for review of projects subject to the ordinance:	Projects that are subject to the ordinance will always receive attention from the Planning Division, whether at the discretionary phase (Two-Story or Minor Residential, Architectural and Site Approval, etc.) or through Building plan review (new single story home, additions, etc.) Staff will require submission of a Water Efficient Checklist where applicants will list their total landscape area and continue to fill out the required information for their level of review (Prescriptive or Full documentation. All discretionary permits will continue to be conditioned to provide the appropriate landscape project submissions (prescriptive and full documentation package) prior to building final inspections.
9a	Describe actions taken to verify compliance:	For projects that received a discretionary permit, Planning staff will continue to conduct Planning site visits prior to final Building inspection. Cupertino's Planning site visits include verifications of general landscaping, privacy mitigation plantings, exterior materials, second story window placements, and other aspects approved during the Planning phase.
9b	Is a plan check performed?	Yes ▼
9c	If so, by what entity?	Plan checks regarding landscaping will be reviewed by Planning staff. The last point of communication before issuing the permit is during the plan check stage where Planning staff will ensure that that the conceptual plans or full landscape plans are meeting the minimum requirements of the WELO ordinance.



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10	Describe implementation and enforcement measures:	There are several points of enforcing implementation is accurate in Cupertino. Most projects receive a "blessing" from Planning staff through preliminaries and applicants are given ample forewarning regarding the requirements (whether WELO or general development). Post-preliminaries applicants may apply for the permit with all comments addressed. Once approved, Planning staff, again, reviews the plans prior to issuance of final permits from Building. Prior to final, most projects are required to have a site visit conducted by Planning staff. Currently, landscapes with areas more than 2,500 are required to record a covenant to maintain landscapes to ensure compliance.
11	Explain challenges to implementing and enforcing the ordinance:	Challenges in implementing the ordinance are: (1) for projects that are not doing construction/required a plan check or permit (the City does not require landscaping/miscellaneous permits) (2) City staff will be reliant on contractors and landscape professionals to ensure plants are accurately planted in hydrozones since city of Cupertino does not have the budget to have a City landscape architect review plans
12	Describe educational and other needs to properly apply the ordinance:	The City is working with the community to determine the gaps in educational resources and services. Aside from county-wide turf replacement rebates, the City is searching for funding to provide services related to subsidized planting plans, demonstration gardens on city property, and additional educational workshops. Currently, City staff is scheduling a graywater system workshop as a follow-up and additional resource post-ordinance adoption.
13	Additional Comments:	

Please submit reports, including a copy of your local water efficient landscape ordinance, via email to WELO@water.ca.gov by December 31, 2015. Agencies preparing a regional ordinance must submit an additional report by March 1, 2016. For questions, please call Ms. Julie Saare-Edmonds at (916) 651-9676.